

### **REMARKS**

The Office Action mailed on October 19, 2011 has been received and its contents carefully considered. Favorable reconsideration and allowance of the present patent application are respectfully requested in view of the following remarks. Upon entry of the present Response, Claims 1, 2, 8 and 10-25 are pending in the present application. Claims 1, 2, 8 and 10-25 stand rejected. Claims 1, 15, and 19 have been amended by way of the present Response. Applicant submits that upon entry of the present Response, Claims 1, 2, 8, and 10-25 are in condition for allowance. Moreover, Applicant submits that no new matter has been introduced by the foregoing amendments.

#### **35 U.S.C. § 112, Second Paragraph Rejections**

In the outstanding Action, Claims 1, 2, 8 and 10-25 stand rejected under 35 U.S.C. § 112, second paragraph as allegedly indefinite for failing to point out and distinctly claim the subject matter which Applicant regards as the invention. More specifically, the Examiner has recommended that the independent claims recite “biometric features capable of being captured by a scanner.” (Office Action mailed 10/19/11; page 3).

In response, Applicant has amended independent Claims 1, 15 and 19 in accordance with the Examiner’s suggestion.

As a result, Applicant respectfully requests that the rejections under 35 U.S.C. § 112, second paragraph be withdrawn.

#### **35 U.S.C. § 103(a) Rejections**

The outstanding Office Action rejects Applicant's Claims 1, 2, 8 and 10-14 under 35 U.S.C. § 103(a) as being unpatentable over Uchida (U.S. Patent No.: 7,246,243) (Uchida) in view of Lindo et al. (U.S. Patent Application Publication No.: 2002/0099858) (Lindo) and

Bianco et al. (U.S. Patent No.: 6,256,737) (Bianco), and further in view of McCabe (U.S. Patent Application Publication No.: 2002/0095317).

The outstanding Office Action further rejects Applicant's Claims 15-20, 23 and 24 under 35 U.S.C. § 103(a) as being unpatentable over Uchida in view of Lindo.

The outstanding Office Action further rejects Applicant's Claim 21 under 35 U.S.C. § 103(a) as being unpatentable over Uchida in view of Lindo, and further in view of Bianco.

The outstanding Office Action further rejects Applicant's Claim 22 under 35 U.S.C. § 103(a) as being unpatentable over Uchida in view of Lindo, and further in view of Robinson et al. (U.S. Patent Application Publication No.: 2008/0271116) (Robinson).

Applicant respectfully traverses these rejections for at least the following reasons. None of the cited references, considered alone or in combination, teach, suggest or disclose each and every limitation of the independent claims, as amended.

Amended Claim 1 now recites:

A method of electronically identifying and verifying an individual utilizing at least one biometric feature of the individual including the steps of: enrolling an individual into a database including: (a) inputting required particulars of the individual into the database and ascertaining the existence or otherwise of the particulars of the individual in the database, wherein the particulars include at least one of images and binary data, wherein the binary data include any representation capable of being stored in a binary form; . . . wherein at least one spatially separated server is located outside the country and wherein upon positive identification and verification of the individual access is given to an auxiliary means including access to secured doors, database, computer network and servers, and wherein the biometric features include fingerprint, retina, iris, pal print, face, handwriting, handprint, signature and voice recording biometric features capable of being captured by a scanner.

Uchida fails to teach a device “wherein the biometric features include fingerprint, retina, iris, palm print, face, handwriting, handprint, signature and voice recording biometric features capable of being captured by a scanner,” as recited by the present invention. Rather, as the Examiner points out in the Response to Arguments of the most recent Office Action, “Uchida clearly teaches that the biometric is a fingerprint (as well as a biometric feature capable of being captured by a scanner), *which meets the “or” requirement of the list.*” (Office Action mailed 10/19/11, page 2; Emphasis Added).

In response, Applicant has amended Claim 1 to recite the conjunction “and,” as opposed to “or” as suggested by the Examiner. As noted, Uchida teaches a device wherein only fingerprint data are detected, obtained and later deciphered. The present invention now recites the initial capture of all the enumerated biometric features. Furthermore, Lindo, McCabe and Robinson fail to teach a device “wherein the biometric features include fingerprint, retina, iris, palm print, face, handwriting, handprint, signature and voice recording biometric features capable of being captured by a scanner,” as recited by the present invention.

As a result, Applicant respectfully submits that Claim 1 is patentable over any combination of Uchida, Lindo, McCabe and Robinson. Because Claims 2, 8, 10-14 and 17 recite the same or similar limitations to Claim 1, Applicant respectfully submits that Claims 2, 8, 10-14 and 17 likewise are patentable over Uchida, Lindo, McCabe and Robinson.

Furthermore, because Claims 15 and 19 recite the same or similar limitations as Claim 1, Applicant respectfully submits that Claims 15 and 19 likewise are patentable over Uchida, Lindo, McCabe and Robinson. Because Claims 16 and 18 depend from Claim 15, and Claims 20-25 depend from Claim 19, Applicant respectfully submits that Claims 16, 18 and 20-20 likewise are patentable over Uchida, Lindo, McCabe and Robinson.

As a result, Applicant respectfully requests that the rejections under 35 U.S.C. § 103(a) be withdrawn.

**CONCLUSION**

Consequently, in view of the present amendment and in light of the above discussion, the outstanding grounds of rejection are believed to have been overcome. The application, as amended, is believed to be in condition of allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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